

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 2720 of 2005(W)

OPHMA.1025/1997 of FAMILY COURT,TRIVANDRUM

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PETITIONER:

A.AYYAPPAN,
KATTIL PUTHEN VEEDU, KALLAMPALLY LANE,
CHERUVAIKKAL VILLAGE, SREEKARIYAM, TRIVANDRUM.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS:

1. A.V.UMA SANGEETH,
SHANKERS, PALACE ROAD, ULLOOR, MEDICAL COLLEGE P.O
2. A.V.UMA JYOTHI,
SHANKERS, PALACE ROAD, ULLOOR,MEDICAL COLLEGE P.O.
3. A.V.UMA SHANKER,
SHANKERS, PALACE ROAD, ULLOOR,MEDICAL COLLEGE P.O.

ADDL. 4. THE HEAD,
PERSONAL & GENERAL ADMINISTRATION,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM - 695 022.
(ADDL. R4 IS IMPEADED AS PER ORDER DT.5.4.05 IN IA 3393/05)

ADDL. R4 BY ADV. SRI.S.KRISHNAMOORTHY, ADDL.CGSC
R1 TO R3 BY ADV. SRI.SUBHASH CYRIAC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC : 2720 OF 2005

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE PETITION IN OP NO.1025 OF 1997 ON THE FILE OF THE FAMILY COURT, THIRUVANANTHAPURAM.

EXT.P2 : TRUE COPY OF THE OBJECTION STATEMENT DT.5.5.2000 FILED BY THE PETITIONER.

EXT.P3 : TRUE COPY OF THE PETITION NUMBERED AS IA NO.637/04 IN OP NO.1025/97 ON THE FILES OF FAMILY COURT, THIRUVANANTHAPURAM.

EXT.P4 : TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER.

EXT.P5 : TRUE COPY OF ORDER DT.6.12.04 IN IA NO.637/04 IN OP NO.1025/97 ON THE FILES OF THE FAMILY COURT, THIRUVANANTHAPURAM.

/TRUE COPY/

PA TO JUDGE

PIUS C. KURIAKOSE, J.

W.P.(C) No. 2720 OF 2005

Dated this the 20th day of August, 2007

JUDGMENT

It is reported that the petitioner, Sri.A. Ayyappan, passed away last Sunday(12.08.07). Impugned in this Writ Petition under Article 227 is Ext.P5 which is an order of injunction restraining the petitioner from withdrawing certain amounts which were due to him by way of retiral benefits from the additional 4th respondent, his employer. The Writ Petition, according to me, has become infructuous for more reasons than one. Being an order of injunction, Ext.P5 can no longer be operative. The apprehension of the respondents that Sri.Ayyappan will withdraw the amounts can no longer survive, now that Sri.Ayyappan is no more. Moreover, it is stated that the main proceedings have been disposed of. All these reasons show that the petition is not any longer maintainable. The Writ Petition is dismissed.

PIUS C. KURIAKOSE, JUDGE

btt

